

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 24, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Larry Hudkins
Ray Stevens

Commissioners Absent: Bernie Heier

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was convened at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, July 17, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated July 17, 2001. Campbell, Hudkins and Workman voted aye. Stevens abstained. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 7 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Hudkins seconded approval. Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

American Legion, Department of Nebraska
CenterPointe, Inc.
Christ's Place
Dialysis Center of Lincoln, Inc.
Martin Luther Home Society Inc.

MOTION: Workman moved and Stevens seconded approval of motor vehicle tax exemptions for American Legion, Department of Nebraska, CenterPointe, Inc., Christ's Place, Dialysis Center of Lincoln, Inc. and Martin Luther Home Society, Inc. Stevens, Workman, Campbell and Hudkins voted aye. Motion carried.

4) **APPEAL FILED ON LATE FILING PENALTY ASSESSED ON PERSONAL PROPERTY FOR THE FOLLOWING:**

Nebraska Book Company, Inc.
Sheppard's Business Interiors, Inc.
Kirk Helmink

Norm Agena, County Assessor, recommended a ten percent penalty be assessed against personal property for Nebraska Book Company, Inc., Sheppard's Business Interiors, Inc. and Kirk Helmink.

MOTION: Hudkins moved and Workman seconded to accept the County Assessor's recommendation and assess a ten percent penalty against personal property for Nebraska Book Company, Inc., Sheppard's Business Interiors, Inc. and Kirk Helmink. Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

5) **ADJOURNMENT**

MOTION: Hudkins moved and Workman seconded adjournment of the Board of Equalization meeting at 1:45 p.m.. Hudkins, Stevens, Workman and Campbell voted aye. Motion carried.

The Board of Equalization meeting was reopened at 2:25 p.m.

The Chair noted that a representative from Nebraska Book Company was present to provide information regarding their appeal of a penalty assessed against personal property.

Jody Rice, tax specialist for Nebraska Book Company, appeared and requested that the penalty against personal property be removed.

Norm Agena, County Assessor, explained that, statutorily, the County Board can no longer waive the penalty because of changes in the state statutes.

Rice explained she had placed the personal property schedule in the mail on April 27, 2001, but because of a backlog of mail at their company it didn't get metered until May 2nd.

By direction of the Chair, the Board of Equalization meeting was adjourned at 2:30 p.m.

Bruce Medcalf
County Clerk

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Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
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Ray Stevens

Commissioners Absent: Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting convened at 1:45 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, July 17, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Workman moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting dated July 17, 2001. Campbell, Hudkins and Workman voted aye. Stevens abstained. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, July 24, 2001.

MOTION: Hudkins moved and Workman seconded approval. Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

3) **PUBLIC HEARINGS:**

- A. Changes to the Lincoln-Lancaster County Air Pollution Program Regulations and Standards to amend parts of Sections 1, 5, 7, 8, 17, 20, 21, 28 and 34 to correct typographical errors and inconsistencies in the existing text, provide needed clarifications, adopt existing federal regulations pertaining to the compliance assurance monitoring program and Maximum Available Control Technology (MACT) standards, and update currently adopted MACT standards to reflect the most recent versions available.**

The Chair opened the public hearing and asked if anyone wished to testify in favor of the changes.

Scott Holmes, Lincoln-Lancaster County Health Department Environmental Health Division Chief, appeared and introduced Rick Thorson, Assistant Chief for Air Quality.

Thorson stated some of the proposed revisions were minor typographical errors and inconsistencies. He indicated that the most important revisions are the new Maximum Available Control Technology (MACT) standards, particularly in relation to hazardous air pollutants.

In response to a question asked by Hudkins, David Johnson, Deputy County Attorney, stated he had read through the regulations and noted no concerns. He stated if the County Board approves the changes he would draft a resolution with the necessary statutory language indicating the County's authority to adopt the regulations.

The Chair asked if anyone else wished to testify either in favor or in opposition of the changes.

No one appeared and the hearing was closed.

3) **PUBLIC HEARINGS CONTINUED:**

MOTION: Hudkins moved and Stevens seconded to direct the County Attorney's Office to draft a resolution approving the changes to the Lincoln-Lancaster County Air Pollution Program Regulations and Standards to amend parts of Sections 1, 5, 7, 8, 17, 20, 21, 28 and 34 to correct typographical errors and inconsistencies in the existing text, provide needed clarifications, adopt existing federal regulations pertaining to the compliance assurance monitoring program and Maximum Available Control Technology (MACT) standards, and update currently adopted MACT standards to reflect the most recent versions available. Stevens, Workman, Campbell and Hudkins voted aye. Motion carried.

4) **NEW BUSINESS:**

The Chair requested that New Business Items A, B, C and D be read together.

- A. An agreement with Lisa Young to perform the services of nurse practitioner with psychiatric specialization on behalf of the Lancaster County Community Mental Health Center, beginning July 1, 2001 and ending September 30, 2001. The County will pay \$50 per hour for the services. (C-01-356)
- B. A contract between CenterPointe, Inc. and the Lancaster County Community Mental Health Center to provide professional services as a care manager and to provide outreach and screening, assessment and care plan development and coordination in connection with the Harvest Project, beginning July 1, 2001 and ending June 30, 2002. The County will pay \$40,672 for the services. (C-01-364)
- C. A contract between Mary L. Paine, Ph.D. and the Lancaster County Community Mental Health Center for the services of a provisionally licensed psychologist, beginning June 21, 2001 and ending June 30, 2002. The County will pay \$55 per hour for the services. The psychologist will work no more than 20 hours per week from June 20, 2001 to August 31, 2001 and 10 hours per week from September 1, 2001 to June 30, 2002. (C-01-363)

4) **NEW BUSINESS CONTINUED:**

D. An agreement between the City of Waverly and Lancaster County for the placement of culverts and the paving of Cannongate Road from Jamestown Street to Oldfield Street. The County's estimated cost is \$45,000. The City of Waverly's estimated cost is \$27,500. (C-01-367)

David Johnson, Deputy County Attorney, requested that New Business Items A, B, C and D be held for the inclusion of additional legal language.

In response to a question asked by Hudkins, Johnson said the County would let the bid for culvert one and perform the work for culverts two and three.

MOTION: Workman moved and Hudkins seconded to hold New Business Items, A, B, C and D. Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

E. A resolution authorizing the City Council of Lincoln, Nebraska, the Lancaster County Board of Commissioners and the Lincoln-Lancaster County Public Building Commission to acquire Block 101, Original Plat, for the construction of a parking structure or facility for public purposes. (R-01-61)

Don Killeen, Building Administrator, stated that the project would be for the acquisition of Block 101 north of the County-City Building to construct parking for the public. He explained that the block to the north has the following alternatives:

- ▶ Surface parking (approximately 250 stalls)
- ▶ Two levels (one level would be accessed from 9th Street and the other from 10th Street for a total of 513 stalls)
- ▶ Multiple deck structure

In response to a question asked by Workman regarding the south parking lot, Killeen stated the possible expansion of the Corrections facility would potentially infringe upon the south lot. The parking study conducted by Sinclair Hille Architects determined that if a parking garage were constructed on the south half of the south block it would cost approximately 5.2 million dollars. Killeen stated the cost per stall would be \$14,500 on the south as opposed to a cost of slightly under \$8,000 per stall to the north.

4) **NEW BUSINESS CONTINUED:**

Hudkins stated they may be able to utilize surface parking to the north for several years which would allow for the assessment of future parking needs. He also stated preliminary discussions have taken place regarding the construction of a tunnel under "K" Street to allow individuals access to the County-City Building from the ground level of Block 101.

MOTION: Workman moved and Stevens seconded approval of Resolution 01-61. Campbell, Stevens, Workman and Hudkins voted aye. Motion carried.

F. A resolution authorizing installation of the following traffic signs in Lancaster County, Nebraska: (R-01-60)

- ▶ Define a school zone with a posted speed limit of 35 miles per hour, during the hours of 7:30 to 9:30 a.m. and 3 to 4 p.m. on school days, north of Bluff Road to Bluff Road on North 148th Street.
- ▶ Installation of a "School Speed Limit Assembly Sign" with speed limit beacons north of Bluff Road for southbound traffic. (The City of Waverly will furnish and install the sign and beacon.)
- ▶ Relocate the existing "School Advance" sign to a position north of the new "School Speed Limit Assembly" sign and add an "Ahead" sign for southbound traffic.
- ▶ Remove an existing "45 mile per hour" speed limit sign located north of Bluff Road for southbound traffic.

MOTION: Hudkins moved and Workman seconded approval of Resolution 01-60. Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

- 5) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. County Engineer's Corrected Monthly Reports for October, November and December, 2000 and January, February and March, 2001.
2. County Engineer's Monthly Reports for April, May and June, 2001.
3. County Engineer's Monthly Reports for the Geographic Information System (GIS) Division for April, May and June, 2001.
4. Sheriff's Report of Fees for June, 2001.
5. Lincoln City Libraries Director's Report for June, 2001.

B. Setting of a public hearing for Tuesday, August 7, 2001 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding County Pre-Existing Special Permit Number 8A, requested by Bill Bevans, to expand a commercial feedlot for turkeys on property generally located at North 148th Street and Mill Road in Lancaster County, Nebraska.

C. A resolution approving an application from the Nebraska State Board of Agriculture for an addition to licensed premises in connection with a Class C (Retail) liquor license. (R-01-59)

D. A request from Dan Packard, Deputy County Attorney, to voluntarily participate in the County's retirement plan. (M-01-91)

5) CONSENT ITEMS CONTINUED:

E. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ Harry Drake, in the amount of \$68.95, east of the North 134th Street and Havelock Avenue intersection; Project C.P.-J-111. (C-01-366)
- ▶ Mervel Reed east of the North 134th Street and Havelock Avenue intersection; Project C.P.J-111. This is a donation. (C-01-361)
- ▶ Donald and Beverly Hamill, in the amount of \$604.90, south of the Northwest 40th Street and Rock Creek Road intersection; Project C.P.C-147. (C-01-365)
- ▶ Emory Henrichson north of the North 70th Street and Rock Creek Road intersection; Project C.P.B-261. This is a donation. (C-01-362)
- ▶ Douglas Deats, in the amount of \$542.50, one-quarter of a mile north of the South 120th Street and Wittstruck Road intersection; Project C.P.R-101. (C-01-360)
- ▶ Joseph and Vicki Rohach, in the amount of \$201.50, south of the Southwest 86th Street and West Pella Road intersection; Project C.P.V-68. (C-01-358)
- ▶ Emil and Barbara Vokous, in the amount of \$201.50, south of the Southwest 86th Street and West Pella Road intersection; Project C.P.V-68. (C-01-357)

F. A leasehold contract for culvert construction between the Lancaster County Engineering Department and Steve Weise, in the amount of \$10, south of the Southwest 86th Street and West Pella Road intersection; Project C.P.V-68. (C-01-359)

MOTION: Workman moved and Hudkins seconded approval of the Consent Items. Stevens, Hudkins, Workman and Campbell voted aye. Motion carried.

6) **ADJOURNMENT**

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:15 p.m. Workman, Campbell, Hudkins and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk